

DEPARTMENT OF FORESTRY AND FIRE PROTECTION NORTHERN REGION HEADQUARTERS - SANTA ROSA 135 Ridgway Avenue Santa Rosa, CA, 95401 (707) 576-2959 Website: www.fire.ca.gov



September 21, 2023

SN Indianola LLC Co P O Box 1028 Eureka, CA 95502 10 Percent Dead, Dying Diseased, Fuelwood, or Woody Debris v2019
No: 1-23EX-00780-HUM

Letter of Acceptance

This letter acknowledges acceptance of your "Notice of Exemption" per Title 14, California Code of Regulations, Section 1038(a), (b), (c), (c)(6), (d), (e), (f), 1038.3, 1038.5, and 1038.6, from plan preparation and submission requirements (PRC 4581) and from the completion and stocking report requirements (PRC 4585 and 4587).

This Exemption EXPIRES <u>September 20, 2024</u>. Timber operations shall comply with all operational provisions of the Forest Practice Act and District Forest Practice Rules. Note: in-lieu practices, exceptions to rules, and alternative practices are not allowed.

Regulatory rules may differ if the exemption is in a county with special rules or within a Special Treatment Area. The Timberland Owner and the Licensed Timber Operator are advised to be aware of the rules for the specific location of the exemption.

Other Agency Considerations:

- Regional Water Quality Control Boards (Regional Boards) regulate waste discharges from timber harvest activities. The Regional Boards may have special requirements for timber harvesting conducted under this exemption. Please contact your local Regional Water Control Board with any questions regarding compliance with the California Water Code.
- **Department of Fish and Wildlife** (DFW) may require notification if the timber operations will substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of any river, stream, or lake. Information on the Lake and Streambed Alteration Program and other DFW programs can be found at the following internet address: https://www.wildlife.ca.gov/Conservation/Environmental-Review

On-site inspection will be conducted by local CAL FIRE Unit Forest Practice Inspectors to evaluate compliance with all the provisions of the Forest Practice Act and Rules. For questions regarding the above referenced exemption, please contact the appropriate regional office listed above or contact the local CAL FIRE Unit for your County.

Sincerely,

Eric Hedge, RPF 3010

Forester III

Forest Practice Manager, Coast Region

cc: Unit, File

To view Exemption Notices, please visit: https://caltreesplans.resources.ca.gov/caltrees/



Timber Salvage Operations Do I need a Water Board permit?

The purpose of this flyer is to make you aware of the water quality regulations and permitting that apply now that you have decided to conduct postfire timber salvage activities on your property.

Now that your project has been authorized by the California Department of Forestry and Fire Protection (CAL FIRE), additional agency permits may be required or may automatically apply to you, including from one of California's nine Regional Water Quality Control Boards (RWQCBs).



The map above shows the nine different RWQCB jurisdictions throughout the state. Links to each RWQCB can be found here:

www.waterboards.ca.gov/waterboards_map.html Regions 1, 5 and 6 have permits that your project may be eligible for or are automatically subject to.

Wildfires and Water Quality

While impacts to the environment from wildfires can be significant, impacts can be positive or negative, and this is especially relative to the health of streams, rivers, and wetlands. Following a wildfire, the landscape can be extremely vulnerable to additional impacts from land use activities, including timber salvage operations and road and watercourse crossing management.

On private lands, landowners may choose to harvest merchantable timber following a wildfire in order to salvage the value of burned trees before they degrade. While conducting timber salvage operations, landowners, their consulting registered professional foresters (RPFs) and contracted licensed timber operators (LTOs) must all be aware of the regulations that apply to their activities and ensure that operations are conducted in a manner that is protective of the environment, including water quality.



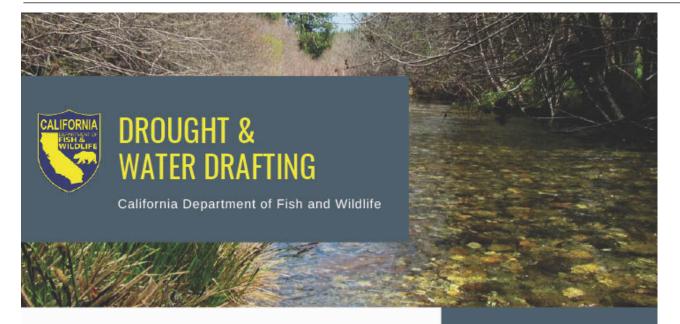
Water Quality Regulations

The RWQCBs are the primary water-pollution control and prevention agencies for the state. In that role, the RWQCBs issue permits, conduct inspections, and in some circumstances take enforcement actions to address activities that cause or may cause pollutants to discharge into streams, lakes, or wetlands, or impact riparian vegetation.

To protect yourself, your property and the environment, you should work closely with your consulting RPF and LTO to ensure that post-fire salvage activities conform with all applicable regulations and permitting!

We encourage landowners, RPFs, and LTOs to contact their <u>RWQCB's Forest Activities Program</u> for guidance on applicable water quality regulations and permits. A list of the RWQCBs can be found at the following web address:

https://www.waterboards.ca.gov/publications forms/publications/factsheets/docs/boardoverview.pdf



ARE YOU DRAFTING WATER FOR YOUR TIMBER HARVESTING OR VEGETATION MANAGEMENT PROJECT?

Californians are facing the second year of historic drought. Drought conditions in California's streams have the potential to affect aquatic species' movements and survival. The California Department of Fish and Wildlife (CDFW) helps landowners avoid impacts to fish, wildlife, native plants, and sensitive habitats, including California's rivers, streams, and lakes (waterbodies).

We encourage you to consult with CDFW BEFORE you begin your project. Failure to notify CDFW of any substantial diversion or obstruction of the natural flow of or a substantial change or use of any material from the bed, bank, or channel of any river, stream, or lake may result in a violation of the Fish and Game Code (see sidebar). See the next page for a preparation checklist.



Applicable Fish and Game Codes

§ 86: "Take" means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.

§ 1600 et seq. (LSA Program): Requires an entity to notify CDFW, and if required, obtain an Agreement, before substantially diverting or obstructing the natural flow of a river, stream, or lake; substantially changing or using any material from the bed, channel, or bank of a river, stream, or lake; or depositing or disposing debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

(Continued on next page)



Preparation Checklist

Before you begin your water drafting project, consider the checklist below to help determine if it may have the potential to affect fish and wildlife resources. CDFW is available to help answer these questions and provide assistance.

Have you assessed current water flow and water quality conditions at each drafting location?

Will your water drafting activities allow for enough water to flow downstream during drafting so fish and other aquatic species can survive?

Do you have an alternative water source or dust abatement strategy if you must stop drafting or there is not enough water for drafting? These may include:

- · dust abatement products
- · road base materials
- · alternative water sources such as municipal water

What methods will you use to determine when to stop drafting to avoid potential affects to fish and wildlife? This may include using:

- · an instream staff gauge
- · a measuring stick with water level markers
- · directly measuring flow
- drafting logs or other ways to determine when drafting should stop

Will your water drafting project result in a substantial diversion or obstruction of the natural flow of the water or change/alter the bed, bank or channel of any river, stream, or lake?

Will construction or modifying your drafting site require vegetation trimming or removal, or ground-disturbing operations to access the site, potentially affecting wildlife?

NOTE! It is important for landowners, Registered Professional Foresters, Licensed Timber Operators, utility companies, or anyone drafting water to know what CDFW permits may be required. Even if you are working under a CAL FIRE Permitted Project, California Fish and Game Code must still be followed. Contact CDFW if you have any questions or to start a consultation. To locate the Fish and Wildlife office near you:

Search CDFW Regions

For more information on permits and water drafting visit the following web pages:

CDFW Timber CDFW Environmental Review CDFW Water Drafting Workshop For more information on drought conditions:

<u>Drought Preparedness</u> <u>Drought in California</u> <u>California Water Board</u>

Applicable Fish and Game Codes

§ 2050 et seq. (CESA): Prohibits unauthorized take of species listed or a candidate for listing under CESA.

§§ 5650 and 5652: Prohibits depositing in, permitting to pass into, or placing where it can pass into a water of the state any substance or material deleterious to fish, plant life, mammals, or bird life (§ 5650), or garbage, rubbish, litter, refuse, waste, and debris, among other materials (§ 5652).

§ 5901: Prohibits construction or maintenance of any device that prevents, impedes, or tends to impede upstream or downstream fish passage.

§ 5937: Requires the owner of a dam or other artificial obstruction to allow sufficient water at all times to pass over, around, or through the dam, to keep fish below the dam in good condition.





V KH

10% DEAD, DYING OR DISEASED TREES FUELWOOD OR SPLIT PRODUCTS or REMOVAL OF SLASH & WOODY DEBRIS NOT LOCATED WITHIN A WLPZ EXEMPTION

STATE OF CALIFORNIA, DEPARTMENT OF FORESTRY AND FIRE PROTECTION NOTICE OF TIMBER OPERATIONS THAT ARE EXEMPT FROM TIMBER HARVESTING PLAN REQUIREMENTS RM-73 (1038b) (08/2021)

FOR ADMIN. USE ONLY

EX. # 1-23EX-00780-HUM

Date of Receipt SEP 20 4U43

Date of Receipt SEP 21 2023

Date Validation by CAL FIRE

Dale Expires <u>SEP 20 2024</u>

VALID FOR ONE YEAR FROM DATE RECIEPT BY CAL FIRE.

The Director of the Department of Forestry and Fire Protection (CAL FIRE) is hereby notified of timber operations under the requirements of 14 CCR § 1038(b) to cut or remove trees that are dead, dying, or diseased, fuelwood or split products in amounts less than 10% of the average volume per acre or remove slash and woody debris not located within a WLPZ.

Timber Operations pursuant to the notice of exemption may not commence for five (5) working days from the date of the Directors receipt of the notice unless this delay is waived by the director. If the Director does not act within five (5) days working days of receipt of the notice of exemption, Timber Operations may commence. 14 CCR § 1038.1(c)(13)

		ations to be conducted: be is selected please indicate app	proximale acreage. Ple	ease verif	y the total is	s consis	tent with total a	acres listed	in Item #9)		
x	22AC:	Harvesting dead, dying or dise operations will meet the condi				10 per	cent of the ave	rage volume	e per acre, v	here timber	
	AC:	Harvesting fuelwood or split p meet the conditions listed in Note: for Santa Cruz Co 926.8(j)) Note: If you are harves pests. Long distance tr www.firewood.ca.gov for	14 CCR § 1038(b) bunty harvesting for fu- ting fuelwood or split p ansport of infested fire	elwood po	urposes gr please be	eater th aware t	nan three acre	es are limit an be infes	ed to 45 da	ys (14 CCR §	
		Removal of Siash and Woody (
1.	LICENSED T	IMBER OPERATOR(S): Name:	Robert Figa	as 			Lic #:	A843	8 Date:	9-11-23	_
	Address 115 Redmond Rd.										
	City Euro	City Eureka State CA zip 95503								42-2630	
	EMAIL: (optio	nal)									
:		ND OWNER(S) OF RECORD: 1	_{Name:} <u>SN India</u>	anola	LLC C	0					-
	City Euro	eka	/	State	CA	Zip	95502	Phone	228-6	27-1142	
	EMAIL: (optio		//	e. 20		-			.02		
	I certify, unde record. Signature:	er penalty of perjury, that I have	ve read and understa	and the in	nformation	on thi	s form and th		Timberlan		
3, TIMBER OWNER(S) OF RECORD: Name SN Indianol aLLC CO											
	Address PO Box 1028								¥		_
	City Euro	eka	Likit	State	CA	Zip	95502	Phone	228-6	27-1142	
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COAST AREA
RESOURCE MANAGEMENT

TIMBER TAX NOTICE: The TIMBER OWNER is responsible for payment of a yield tax.

For timber yield tax information or for assistance with these questions call 1-800-400-7115, or write: Timber Tax Section, MIC: 60, California Department of Tax and Fee Administration, P.O. Box 942879, Sacramento, CA 94279-0060; or see the CDTFA Web Page on the Internet http://www.cdtfa.ca.qov.

TIMBER TAX INFORMATION: Some small or low value harvests <u>may be exempt from the timber yield tax</u> (Revenue and Taxation Code sec. 38116)

<u>Timber Owners may be considered exempt if the value of the harvesting operations does not exceed \$3,000 dollars within a quarter, according to CDTFA Harvest Value Schedules, Rule 1024.</u>

IF THE TIMBER OWNER BELIEVES HARVESTING MAY BE EXEMPT (see timber tax exemption language above for low value harvests)
PLEASE CHECK BELOW:

FINAL DETERMINATION of tax-exempt status will be made by the Timber Tax Section of the California Department of Tax and Fee Administration. If you think you are exempt based on the directions above, please complete the below information so the Timber Tax Section can make the final determination.

IF YOU WOULD LIKE COTFA TIMBER TAX SECTION TO CONSIDER A TAX EXEMPTION BASED ON PROJECTED HARVEST PLEASE COMPLETE THE INFORMATION BELOW.

	A.	Circle/Check the option that r log):	most closely estimates	s the total volur	ne for this harvest,	in thousands	of board feet (mbf -	Net Scribner short		
		Under 8 mbf	8-15 mbf		16-25 mbf		Over 25 mbf	Х		
	В.	Estimate what percentage of %	timber will be remove	d during this h	arvest: (percentage	es provided sh %	nould equal 100%)	%		
		Redwood Po	onderosa/Sugar Pine ort-Orford Cedar		Douglas-Fir Other Conifer	80	Fir Other Hardwoods	10		
	C.	Fuelwood over 150 cords? Y	res No 🔳							
4.	14 C Red	CCR § 1038.1(c)(15) - Is it antio woods or 48 inches in diamete	cipated that a tree exister at stump height for	sting before 180 all other tree sp	00 A.D. greater that pecies will be harve	n 60 inches' d sted? 🔲 YE	liameter at stump he ES 🔳 NO (requ		astal	
	NOT	E: If "YES" please refer to 14 justification for the harves					otice of exemption a	a written explanatio	n and	
5.	14 CCR § 1038.1(c)(12) NO timber harvesting is permitted within the standard width of a Watercourse or Lake Protection Zone (WLPZ) per 14 CCR § 916.4 [936.4, 956.4](b) (exceptions do apply see below) or within a WLPZ of a watershed identified as Anadromous Salmonids Planning watersheds (ASP) per 14 CCR § 916.9 [936.9, 956.9](s), unless the harvesting in an ASP WLPZ is recommended in writing by CDFW to address specifically identified forest conditions, 14 CCR § 916.9(s)(6) (optional)									
	Two exceptions permitted in WLPZs outside of an ASP watershed: (Please indicate below if trees meeting the exception identified below are anticipated to be harvested. (If not then leave blank) SANITATION-SALVAGE harvesting per 14 CCR § 1038.1(c)(12) Exception in WLPZ of ASP Watersheds 14 CCR § 916.9(s) for the removal of DEAD or DYING trees per 14 CCR § 1038.1(c)(12) Exception in WLPZ of ASP Watersheds 14 CCR § 916.9(s)									
	If YE	 Will harvesting occur wit ES, then provide a copy of the 						mmended harvesti	ng.	
	NOT	ΓE: Trees to be harvested sh	nall be marked by an	RPF or a sup	ervised designee	of the RPF P	RIOR TO TIMBER	OPERATIONS.		
6.	Histo	CCR § 1038.1(c)(3)(A-C) No Torical Site (information on sometem within the Department of F	ne of these sites may	be available fro	om the Information	Centers of the	CR § 895.1 for a Sig e California Historica	nificant Archaeologi al Resources Inform	cal or ation	
	- Wi	e significant archaeological site Il operations occur within these YES Sites must be preserved partments Archaeologist at t	identified archaeologi in place by capping	cal sites?	YES 🔳 NO			rence from the	RFC	:FIVE
7,	TEN Befo	NTATIVE COMMENCEMENT ore beginning Timber Operation	DATE OF TIMBER O	PERATIONS: (ator shall notify	required) September the Department of	25, 2023 the actual co		CCR § 1038.1(a)(5) of operations. The	SEP 2	2 0 2023

notification, by telephone, mail, or email, shall be directed to the appropriate CAL FIRE Unit Headquarters, Forest Practice Inspector or other designated personnel. If the notification is provided by mail, Timber Operations may not commence until three (3) days after the postmark date of notification. 14 CCR § 1038.1(c)(14)

14 CCR 1038.2 - The submitted notice of exemption shall indicate if more than one Yarding system is to be used and identify the systems.
 CHECK EACH Yarding method to be utilized: If more than one method is selected these methods must be identified on the accompanying maps. (required)

		YARDING SYSTEMS	
	GROUND BASED	CABLE	OTHER
X	Tractor, including end/long lining	Cable, Ground lead	Hand thinning and removing
	Rubber tired skidder, Forwarder	Cable, High Lead	Other (explain):
	Feller Buncher	Cable, Skyline	
	Shovel yarding		

- 9. 14 CCR § 1038.1(a)(4) Designate the legal land description of the location of the Timber Operation. 14 CCR § 1038.2 attach a USGS 7.5-minute quadrangle map or equivalent map showing the location of:
 - Boundaries of the Logging Area. 14 CCR § 1038.2(b)
 - Location of all Roads to be used for, or potentially impacted by, timber operations. 14 CCR § 1038.2(c) (Appurtenant Roads included within the
 logging area pursuant to (b) may be shown on a map which may be planimetric with a scale as small as one-half inch equals one
 mile)
 - Location of any Special Treatment Areas. 14 CCR § 1038.2(k)
 - Location of all Watercourses and Lakes with Class I, II, III, or IV waters. 14 CCR § 1038.2(i)

Additional maps, which may be topographic or planimetric, may be used to provide additional information, to show details, and improve map clarity. A legend shall be included indicating the meaning of the symbols used. It will be helpful to describe the access route to the timber operation so that it can be easily located, and/or include an assessor's parcel map for small areas. (required)

					Logging area	
Base Meridian	Township	Range	Section	County	Acreage (estimated)	Assessor's Parcel # (optional)
нвам	511	1E	17	Humboldt	10.3	402-032-002
нвам	5N	1E	17	Humboldt	11.7	402-032-035
	•••					

The following are limitations or requirements for timber operations conducted under a Notice of Exemption for Dead, Dying or Diseased, Trees of any size, Fuelwood or Split products in amounts less than 10% of the average volume per acre, or the removal of Slash and Woody Debris that is not located within a WLPZ:

- This notice must be submitted to and received by CAL FIRE at the appropriate office listed below prior to the commencement of timber operations.
 Coastal Special Treatment areas and Marin County the Director shall have ten calendar days from date of receipt to accept or reject the notice of timber operations.
- Timber Operations may not be conducted without a copy of the Directors notice of acceptance of the notice of exemption at the operating site, except where the Director has failed to act within the five (5) working day review period. 14 CCR § 1038.1(c)(13)(A)
- 14 CCR § 1038(b) places certain limits on the harvesting of Dead, Dying or Diseased, Trees of any size, Fuelwood or Split products in amounts less than 10% of the average volume per acre, or the removal of Slash and Woody Debris that is not located within a WLPZ. These limits need to be examined to assure compliance.
- 4. 14 CCR § 1038 Timber operations conducted under this notice shall comply with all operational provisions of the Forest Practice Act and District Forest Practice Rules applicable to "Timber Harvest Plan," "THP," and "plan." The requirements to submit a completion and stocking report normally do not apply. The requirements for environmental review under the California Environmental Quality Act (See 14 CCR § 15300.1) also do not apply.
- 5. There are special requirements for timber operations conducted in Coastal Commission Special Treatment Areas and in counties with special rules, adopted by the Board of Forestry and Fire Protection. Timber Operations shall comply with the rules associated with the specific Special Treatment Area timber operations are within. 14 CCR § 1038.1(c)(6). These rules should be reviewed prior to submitting this notice to CAL FIRE.
- 6. All timber operations conducted in the Lake Tahoe Region must have a valid Tahoe Basin Tree Removal Permit, as defined by TRPA, or shall be conducted under a valid TRPA memorandum of understanding, when such a permit is required by TRPA, 14 CCR § 1038.1(b)(1)
- No helicopter yarding shall be allowed. 14 CCR § 1038.1(b)(3)
- In-lieu practices within WLPZs as specified under Article 6 of these rules, exception to the rules, and alternative practices are not allowed. 14 CCR § 1038
- 9. No Tractor or heavy equipment operations on slopes greater than 50%. 14 CCR § 1038.1(c)(5)



- 10. No construction of new tractor roads on slopes greater than 40%. 14 CCR § 1038.1(c)(5)
- 11. No Tractor or heavy equipment operations on known Unstable Areas. 14 CCR § 1038.1(c)(7)
- 12. No NEW road construction or reconstruction, as defined by 14 CCR § 895.1. 14 CCR § 1038.1(c)(8)
- 13. No heavy equipment operations within the standard width of a WLPZ, as defined in 14 CCR § 916.4[936.4, 956.4](b). 14 CCR § 1038.1(c)(9)
- 14. No timber harvesting within the standard width of a watercourse or lake protection zone, as defined in 14 CCR § 916.4 [936.4, 956.4](b), except sanitation-salvage harvesting, as defined in 14 CCR § 913.3 [933.3,953.3], where immediately after completion of operations, the area shall meet the stocking standards of 14 CCR § 912.7 [932.7,952.7](b)(2), or, except the removal of dead or dying trees where consistent with 14 CCR § 1038(C)(12). Trees to be harvested within a WLPZ shall be marked by, or under the supervision of, an RPF prior to timber operations. 14 CCR § 1038.1(c)(12)
- 15. ASP watersheds No timber operations are allowed in a WLPZ, or within any ELZ or EEZ designated for watercourse or lake protection, under exemption notices except (1) Hauling on existing roads (2) Road maintenance (3) Operations conducted for public safety (4) Construction or reconstruction of approved watercourse crossings (5) Temporary crossings of dry Class III watercourses that do not require notification under Fish and Game Code § 1600 et seq. (6) Harvesting recommended in writing by CDFW to address specifically identified forest conditions.
- 16. Operations conducted under a Notice of Exemption are NOT permitted in known sites of rare, candidate, threatened or endangered plants and animals if the sites will be disturbed or damaged. NO timber operations may occur within a buffer zone of a listed, or sensitive species defined by 14 CCR § 895.1. 14 CCR § 1038.1(c)(10)(11)
- 17. If any activities related to timber operations, as defined by PRC 4527, are to include any of the following activities in any river, stream or lake, including episodic and perennial waterways, a notification to the California Department Fish and Wildlife is required pursuant to Fish and Game Code §1602: 1) A substantial alteration of the bed, bank, or channel; 2) A substantial diversion (i.e. water drafting) or obstruction of the natural flow, or 3) use of material from or deposit of material into the watercourse. Information on the Lake and Streambed Alteration Program, as well as notification forms, may be found at the following link: https://www.wildlife.ca.gov/conservation/lsa
- 18. The requirements to submit a completion and stocking report do not normally apply. However, Completion and Stocking reports are required for areas when operations occur within COAST, SPECIAL TREATMENT AREAS and / or MARIN COUNTY. The landowner shall submit to CAL FIRE a RM-71 Completion and Stocking report. Per PRC 4585 and PRC 4587.
- 19. This Notice of Exemption is valid for one year from the date of receipt by CAL FIRE.
 - Santa Cruz County the exemption is valid for 45 days if over 3 acres.
 - Marin County the exemption is valid for the calendar year of acceptance.
- 20. A Timber Operator with a valid state license must be designated upon submission of this notice.

The following suggestions may help ensure your compliance with the Forest Practice Rules:

- Timber Owners, Timberland owners and Timber Operators should obtain and review copies of the Forest Practice Rules pertaining to the Notice of Exemption. Copies may be obtained from BARCLAYS LAW PUBLISHERS, P.O. BOX 3066, SO. SAN FRANCISCO, CA. 94080. or from CAL FIRE, Forest Practice Section, P.O. BOX 944246, Sacramento, CA 94244-2460; or from CAL FIRE's Web Page on the Internet at http://www.fire.ca.gov.
- 2. Contact the CAL FIRE office listed below for questions regarding the use of this notice.

FILE THIS NOTICE WITH THE CAL FIRE OFFICE BELOW FOR THE COUNTY IN WHICH THE OPERATION WILL OCCUR:

Alameda, Colusa, Contra Costa, Del Norte Humboldt, Lake, Marin, Mendocino, Napa, CAL FIRE San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, western Trinity and Yolo Counties. 135 Ridgway Avenue Santa Rosa, CA 95401 Forest Practice Program Manager Butte, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Shasta, CAL FIRE Sierra, Siskiyou, Sutter, Tehama, eastern Trinity and Yuba Counties. 6105 Airport Road Redding, CA 96002 Forest Practice Program Manager Alpine, Amador, Calaveras, El Dorado, Fresno, Imperial, Inyo, Kern, Los Angeles, Madera, Mariposa, Merced, Mono, Monterey, Orange, Riverside, San Benito, San Bernardino, CAL FIRE => San Diego, San Luís Obispo, Santa Barbara, Stanislaus, Tuolumne, Tulare, and Ventura Counties. => 1234 East Shaw Avenue Fresno, CA 93710



Forest Practice Program Manager

